

Date: May 17, 2018

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The Mattress Factory's Workplace Harassment Policy makes it clear that it will not tolerate harassment based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, and protected activity (i.e., opposition to prohibited discrimination or participation in the statutory complaint process). This prohibition covers harassment by anyone in the workplace – supervisors, co-workers or non-employees.

Employees are encouraged to report harassment before it becomes severe or pervasive. While isolated incidents of harassment generally do not violate applicable law, a pattern of such incidents may be unlawful. Regardless, the Mattress Factory wants to stop inappropriate conduct before it rises to the level of illegal workplace harassment.

The Mattress Factory's policy and complaint procedure encourages victims to come forward to report inappropriate conduct and provides various individuals to whom reports can be made. The Mattress Factory conducts a prompt, thorough and impartial investigation into the alleged harassment, and the scope and time frame of the investigation will depend on the facts and circumstances. The Mattress Factory will attempt to maintain confidentiality to the extent possible to conduct a thorough investigation. Once all of the evidence has been submitted and reviewed, interviews are finalized, and credibility issues are resolved, management will make a determination as to whether inappropriate conduct or harassment occurred. In some circumstances, it may be difficult for management to reach a determination because of direct contradictions between the parties and a lack of documentary or first-hand corroboration. In such cases, a credibility assessment may form the basis for a determination, based on a variety of factors. If no determination can be made because the evidence is inconclusive or credibility cannot be fully assessed, the Mattress Factory will still undertake further preventive measures, such as training and monitoring.

Whenever the Mattress Factory determines that inappropriate conduct or harassment has occurred in violation of its policy, the Mattress Factory will issue immediate and appropriate corrective action, including discipline. Remedial measures will be designed to stop the harassment, correct any negative impact on the victim and ensure that the harassment does not recur. These remedial measures need not be those that the complaining employee requests or prefers, as long as they are effective. Disciplinary measures will be taken toward the harasser that are proportional to the seriousness of the inappropriate conduct that was determined to have occurred through the investigation.

The Mattress Factory will not tolerate retaliation toward or adverse treatment of employees because they report harassment or provide information related to such complaints.

The Mattress Factory is currently revising its Employee Handbook and many policies are being updated. Although that process has not yet been completed, the current and revised Workplace Harassment Policies are attached for your review.

In addition, we have scheduled mandatory Workplace Harassment Training for all employees, interns and volunteers for Friday, May 25, 2018 at 8:30 am in the Mattress Factory Conference Room.

The Mattress Factory has reviewed the serious allegations made in your May 16, 2018 letter. The Mattress Factory shares your commitment to a harassment free environment. The Mattress Factory is also committed to fairness in its investigation and discipline. The correspondence presented does not identify any specific incident of employee misconduct by any identified individual. We do take these matters seriously and if you have actually witnessed misconduct, we encourage you, as our policy requires, to report the misconduct to Misha Cannon or Michael Olijnyk. We will conduct an impartial and diligent investigation and will review and consider all accounts presented.

Due to the privacy afforded and required for each of our employees, we will not discuss details of investigations or personnel issues. We understand that this may cause frustration, but it is what is required to maintain confidentiality. We will, however, advise a complainant that an investigation took place, was concluded, and that appropriate action was taken at the conclusion of such events. We will also work with a complainant to ensure that they do not suffer harassment in the future or retaliation.

Certainly, the safety of Mattress Factory employees is of the utmost concern, as is compliance with our Workplace Harassment Policy. Again, if any employee, intern or volunteer has any first-hand knowledge of any of the allegations made in your letter, or of any incidents of workplace harassment or inappropriate conduct in the workplace, we urge you to contact Misha Cannon or Michael Olijnyk immediately to schedule a meeting as soon as possible.

Barbara and Michael